

## **EXHIBIT 12**

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MINNESOTA**

FAIR ISAAC CORPORATION,

Plaintiff,

v.

FEDERAL INSURANCE COMPANY, and  
ACE AMERICAN INSURANCE COMPANY

Defendants.

Case No. 16-CV-1054(WMW/DTS)

**SUPPLEMENTAL EXPERT REPORT  
OF NEIL J. ZOLTOWSKI  
WITH RESPECT TO DAMAGES**

Respectfully submitted this 3<sup>rd</sup> day of August, 2020

A handwritten signature in black ink, appearing to read 'Neil J. Zoltowski', with a large, stylized flourish at the end.

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Neil J. Zoltowski

**CONFIDENTIAL – ATTORNEYS’ EYES ONLY**

*Fair Isaac Corporation v. Federal Insurance Company and ACE American Insurance Company***SUPPLEMENTAL SCHEDULE 10.3: Summary of Domestic Gross Written Premiums by Application - Defendants, Subsidiaries and Pooling Entities (a)**

Application (b)	Mar 31 - Dec 31 2016 (c)	2017	2018	2019	Jan - Jun 2020 (d)	Total
Commercial Underwriting Workstation (CUW)						
Federal, Subsidiaries and Pooling Entities	\$ 4,877,345,522 (f)	\$ 7,649,062,568	n/a	n/a	n/a	\$ 12,526,408,090
ACE American, Subsidiaries and Pooling Entities	238,462,381	883,090,822	n/a	n/a	n/a	1,121,553,203
Defendants, Subsidiaries and Pooling Entities	n/a	n/a	6,167,223,112	7,496,713,100	-	13,663,936,212
Total	\$ 5,115,807,902	\$ 8,532,153,390	\$ 6,167,223,112	\$ 7,496,713,100	\$ -	\$ 27,311,897,505
CSI eXPRESS (e)	\$ 1,008,080,734 (f)	\$ 1,358,180,203	\$ 1,241,993,390	\$ 1,277,242,740	\$ 125,825,726	\$ 5,011,322,794
Premium Booking	380,416,844	442,839,932	500,850,829	426,769,797	-	1,750,877,402
Texas Accident Prevention System (TAPS)	215,420,480	252,219,200	216,490,943	160,175,914	-	844,306,538
Cornerstone	158,202,931 (f)	248,313,042	122,400,980	(6,469)	-	528,910,484
Individual Rate Modification Application (IRMA)	68,975,636 (f)	89,449,543	80,968,955	60,922,865	-	300,316,999
Decision Point	2,680,739	4,319,856	4,779,439	5,846,994	1,626,488	19,253,516
<b>TOTAL</b>	<b>\$ 6,949,585,266</b>	<b>\$ 10,927,475,167</b>	<b>\$ 8,334,707,649</b>	<b>\$ 9,427,664,942</b>	<b>\$ 127,452,214</b>	<b>\$ 35,766,885,238</b>

Note/Source(s):

- (a) This schedule includes gross written premiums from all writing companies reported per Defendants' interrogatory responses that are the Defendants, subsidiaries of the Defendants and/or participate in a pooling arrangement with the Defendants. I understand the Defendants participated in the same intercompany pool in 2018. (**Schedule 12.0 and 13.2.**)
- (b) The CUW application is the only application for which Defendants reported gross written premiums from ACE American subsidiaries. All other domestic applications only report gross written premiums from Federal and subsidiaries. (Harkin Deposition at 19-20.)
- (c) I understand that copyright remedies start at the termination date of the SLM Agreement (i.e., March 31, 2016) for the domestic applications. I have adjusted the gross written premiums accordingly. (FED004437\_0001.)
- (d) The Defendant's most recent response to Interrogatory No. 17 was dated in June 2020. Additionally, Defendants identified per its interrogatory response that the Blaze Advisor component was removed from the domestic applications by May 2020. (Defendants' Eighth Supplemental Answer to Plaintiff's Interrogatory No. 17, dated June 15, 2020.)
- (e) I understand the gross written premiums reported for CSI eXPRESS includes premiums related to the Automated Renewals Process and Profitability Indicator applications. Further, CSI eXPRESS, Automated Renewals Process and Profitability Indicator are all used in connection with the same gross written premium policies. (Harkin Deposition at 72-74; Federal Insurance Company's Fifth Supplemental Answer to Plaintiff's Interrogatory No. 16 and Sixth Supplemental Answer to Plaintiff's Interrogatory No. 17, dated March 21, 2019 at 3-5, 11-13; Defendants' Eighth Supplemental Answer to Plaintiff's Interrogatory No. 17, dated June 15, 2020.)
- (f) I understand Chubb Insurance Company of Canada was no longer a subsidiary of Federal by September 30, 2016. Accordingly, 1/2 of the gross written premiums reported for year 2016 were included in this analysis. (Taylor Deposition at 85; FED006483-484; Pandey Deposition at Exhibit 527.)